

Message Text

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PAGE 01 NAPLES 00935 191240Z

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SSO-00 /016 W

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FM AMCONGEN NAPLES

TO SECSTATE WASHDC IMMEDIATE 5114

LIMITED OFFICIAL USE NAPLES 0935

E.O. 11652: N/A TAGS: L, CVIS

REF: STATE 205308

SUBJECT: FEDERAL COURT SUBPOENA FOR TESTIMONY (U.S. V. GERALD J. GOLDEN)

1. CUMMYINGS RECEIVED SUBPOENA AUGUST 18. I WAS READYING TELEGRAM TO DEPARTMENT WHEN REFTEL ARRIVED.
2. CUMMINGS STATES JOHN BOND, CHIEF INVESTIGATOR, FEDERAL PUBLIC DEFENDERS OFFICE, LOS ANGELES, PHONED HIM JULY 7, SAID DEFENDANT GOLDEN INDICTED ON COMPLAINT OF DO VAN LY FAMILY ON CHARGE OF MIS-APPROPRIATING PROCEEDS OF SALE OF THEIR PERSONAL PROPERTY. DEFENSE WILL THEREFORE PROBABLY SEEK TO PROVE THAT GOLDEN HAD BEFRIENDED DO FAMILY AND WILL MOST LIKELY USE CUMMINGS' TESTIMONY IN SUPPORT OF THAT CONTENTION.

PAGE 02 RUFRSGG6784 C O N F I D E N T I A L

3. RE LAST SENTENCE PARA 1 REFTEL, CUMMINGS STATES HE DID NOT REPEAT NOT RAISE QUESTION OF MRS. DO'S ACTIVITIES WITH BOND. BOND ASKED CUMMINGS IF HE WAS AWARE OF THE ALLEGATIONS. CUMMINGS REPLIED HE RECALLED READING ABOUT THEM IN JAPANESE PRESS BUT HAD NO OFFICIAL KNOWLEDGE OF OR CONNECTION WITH THAT ASPECT OF CASE. CUMMINGS TOLD BOND FURTHER THAT RECORDS PERTAINING TO VISA AND PAROLEE APPLICATIONS OF DO CHILDREN IN CUSTODY OF DEPARTMENT OF CONSUL GENERAL E. LEWIS CHOSSON IN TOKYO. FYI: CUMMINGS STATES THAT GOLDEN REQUESTED HIM TO ISSUE B-2 VISAS TO DO CHILDREN BUT HE REFUSED ON GROUND THEY NOT BONAFIDE NONIMMIGRANTS. CHILDREN WERE SUBSEQUENTLY ISSUED PAROLE LETTERS UNDER SVN REFUGEE PROGRAM ON DEPARTMENT'S INSTRUCTIONS.

4. RE PARA 2 REFTEL, CUMMINGS HAS JUST ARRIVED AND IS VITALLY NEEDED HERE IN CONNECTION WITH CONSOLIDATIONS OF CONSULAR OPERATIONS. IF LIMITED OFFICIAL USE

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TRIAL IS LIKELY LAST LONG TIME, I WOULD PREFER HE REMAIN HERE. BUT

IF IT IS A MATTER OF LESS THAN TWO WEEKS I WOULD HAVE NO OBJECTION
TO HAVING HIM COME TO U.S. COLANTONIO

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